

U.S. Serial No.: 10/717,632

Docket No. SAIC0055-C-CIP2

**REMARKS**

Claim: 1-8 and 40-4 are pending in the current application. Claims 9-39 have been cancelled as shown above and undersigned reserves the right to file in divisional applications. The claims have been addressed as follows in the non-final Office Action: claims 1-6 and 8 are rejected under 35 USC 103(a) as being unpatentable over Bermbach in view of Adams et al. and claim 7 is similarly rejected over Bermbach in view of Adams et al. and further in view of Kubierschky.

The undersigned requests reconsideration of the rejections from the non-final Office Action in view of the amendment to claim 1 and the remarks below. Claims 40-47 are dependent upon claim 1 and are submitted to be allowable for at least the reasons stated herein.

**Rejection of Claims 1-6 and 8 under 35 USC 103(a) in View of Bermbach and Adams et al.**

Independent claim 1 as amended includes the following language:

A target object inspection system comprising:

- a first detector for detecting radiation from a radiation source;
- a second detector for detecting radiation from the target object;
- a mobile platform including the first detector, the second detector and the radiation source; and
- a boom connected to the radiation source and the mobile platform, wherein the boom is deployed so as to effect passage of the target object between the radiation source and the first and second detectors, and further wherein the mobile platform and the target object pass alongside one another during inspection..

The undersigned incorporates herein the arguments from the response filed May 30, 2006. Additionally, the undersigned has amended claim 1 in order to more particularly point out the difference between the claimed invention and the disclosure of Bermbach and Adams.

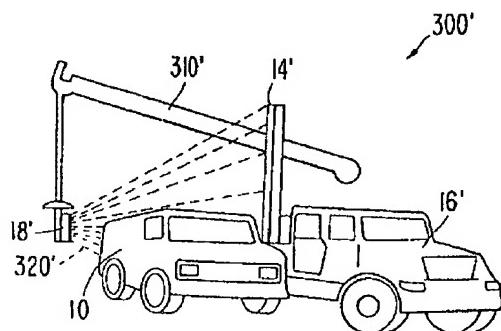
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Specifically, neither Bermbach nor Adams teach or suggest a deployable boom for effecting passage between the radiation source and first and second detectors where the target object and mobile platform pass alongside one another during inspection. Referring to FIG. 3A and paragraph [0117] and [0118] (emphasis added):

[0117] In the stationary-target mode, the truck 16' scans the target object 10 while the target object is stationary and without an occupant, while the truck 16' moves along a length of the fast-moving target object 10 to produce a full image of its contents. Advantageously, the truck 16' need not move at exactly the same speed during the entire scan because the time constant  $T_c$  between which detector readings (photon counts) are recorded is varied as a function of the velocity of the truck (which is monitored by the image-generating computer, which receives a velocity signal from speedometer equipment aboard the truck), in order to maintain a substantially constant horizontal pixel width  $\Delta x$ .

[0118] Optionally, in the alternate moving target mode, the truck 16' is stationary and the occupant of the target object 10 drives the target object 10 just past a source fan beam region 320' to avoid the radiation. The shutter (not shown), such as described earlier, is then opened and the occupant drives the fast moving target object 10 at about a nominal rate of acceleration which has been clocked at about 33 inches/sec<sup>2</sup>.

**FIG. 3A**

In Bermbach, the target actually moves into a stationary platform during inspection as shown below in FIG. 1 of Bermbach.

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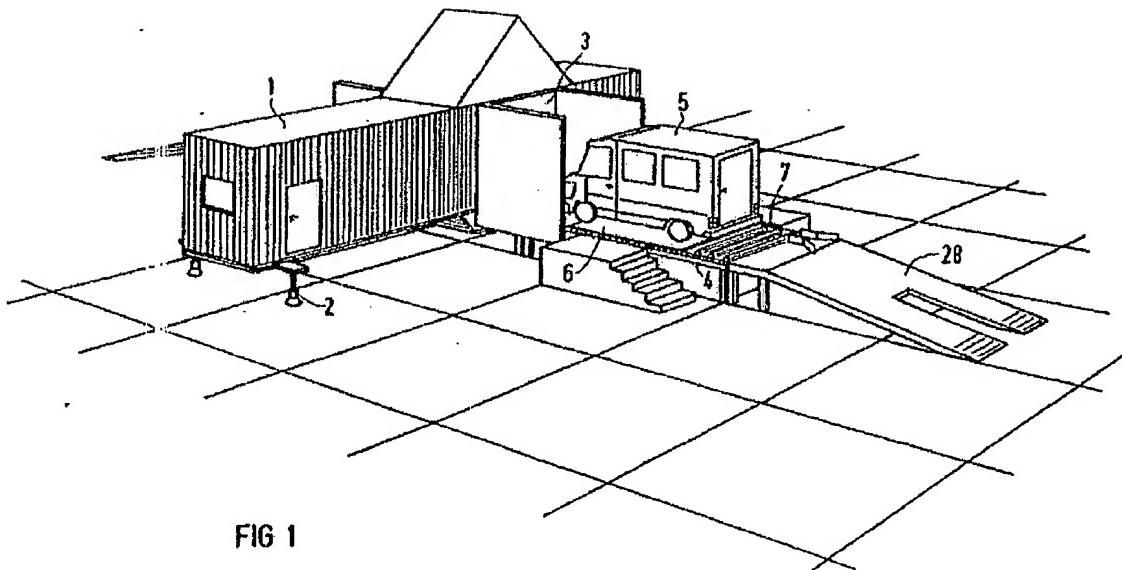


FIG 1

The relative movement of the stationary platform and target object is not in a configuration such that they are alongside one another. This further description buttresses the previous argument which is maintained by the undersigned that Bermbach does not teach or suggest a deployable boom as shown and described in the claims and the disclosure of the present application. Additionally, as described below, Adams provides evidence of the recognized distinction between the general type of system in Bermbach and the general type of system in the Current Application within the art and to those skilled in the art.

Further the undersigned explicitly reiterates herein arguments from the response of May 30, 2006 regarding the applicability of Adams since these arguments were not addressed in the Final Office Action. The undersigned notes that the earliest filing date of Adams is November 6, 2002 while the Current Application has priority back to as early as 1995 and, more particularly, FIG. 3A was described in US Patent No. 6,507,025 filed September 17, 1999, to which the Current Application claims priority. The Office cites to Adams as teaching the deficiencies of

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Bermbach and as providing the motivation to one skilled in the art to combine Bermbach and Adams to reach the claimed invention. Initially, the system described in Adams actually teaches away from the system described in the claims. In paragraphs [0003] and [0004] under the heading BACKGROUND OF THE INVENTION, Adams unequivocally states the current or known technology (as compared to that described by Adams): "requires that inspected objects or people either be moved through an inspection system (e.g., Bermbach) or interposed between a proximal examining component and a distal examining component, one including a source and the other including a detector (e.g., Current Application)." And that the system of Adams does not impose the requirements or constraints of these known systems. Accordingly, the undersigned fails to see how it would be obvious to one skilled in the art to combine the teachings of Bermbach and Adams when they are admittedly directed to completely different systems.

The undersigned submits that the combination of Bermbach and Adams fails to teach each of the limitations of the claims and even assuming, *arguendo*, that the limitations are taught by the combination, there is no motivation to combine the teachings as Adams teaches away from the general system type upon which the claimed system is premised. The undersigned respectfully submits that claims 1-6 and 8 are allowable over the cited art.

**Rejection of Claim 7 under 35 USC 103(a) in View of Bermbach, Adams et al. and Kubierschky**

For the reasons stated above with respect to independent claim 1, the undersigned submits that dependent claim 7 is also allowable.

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**CONCLUSION**

The undersigned submits that claims 1-8 and 40-47 are allowable over the cited art for the reasons set forth herein and awaits a notice of allowance to this effect. Should the Office have additional questions which would facilitate efficient prosecution of this application, please do not hesitate to contact undersigned at the number provided below.

Respectfully submitted,

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